IN THE COMMONWEALTH COURT OF PENNSYLVANIA

IN RE: THE NOMINATION PETITIONS OF NORBERTO DOMINGUEZAS A DEMOCRATIC CANDIDATE FOR STATE REPRESENTATIVE IN THE 22nd LEGISLATIVE DISTRICT : ELECTION MATTER

: DOCKET NO:

MD 2022

PETITION TO SET ASIDE NOMINATING PETITIONS

AND NOW, come Petitioners, by their counsel, Lawrence M. Otter, Esquire, and file the within Objections to Nomination Petition and, in support thereof avers as follows:

- Exclusive jurisdiction over the subject matter of this Petition is vested in the Commonwealth Court of Pennsylvania by the provisions of the Pennsylvania Election Code, 25 P. S. § 2937, and the provisions of the Judicial Code, 42 Pa. C. S. A. § 764.
- 2. One Petitioner is John Santana, who resides at 925 Chew St, Allentown, PA and is a duly registered and enrolled Democratic elector of the Commonwealth of Pennsylvania who votes and resides in the 22nd Legislative District.
- 3. One Petitioner is Carmen Urbaez, who resides at 925 Chew St, Allentown, PA and is a duly registered and enrolled Democratic elector of the Commonwealth of Pennsylvania who votes and resides in the 22nd Legislative District.
- 4. One Respondent is Norberto Dominguez a candidate for State Representative in the 22nd Legislative District who as of March 28, 2022, allegedly resides at , 415 Allen Rd,, Allentown, PA 18102.
- One Respondent is the Secretary of the Commonwealth, whose office is located at 305 North Office Building, Harrisburg, Pennsylvania.

- 6. On or about March 28, 2022, Nominating Petitions and Papers were filed with the Pennsylvania Department of State, Bureau of Elections, nominating Respondent, Norberto Dominguez as a Democratic candidate for State Representative in the 22nd Legislative District.
- 7. The nominating Petitions and Papers are purported to consist of 18 petition pages and allegedly containing 350 lines of signatures of electors supporting the nomination of Norberto Dominguez, Respondent.
- 8. Three Hundred (300) valid signatures of qualified electors who reside within the 139th Legislative District are required by statute, **25 P. S. §2872.1 (14)** to support the Nominating Petitions and Papers of Norberto Dominguez, in the Democratic Primary Election scheduled for May 17, 2022.
- 9. The Nominating Petitions and Papers of Respondent, Norberto Dominguez, are invalid and inadequate in that they contain less than 300 valid signatures and because of various inadequacies and deficiencies as outlined in a spreadsheet attached hereto and incorporated as **Exhibit A.**
- 10. **Exhibit A** lists 157 challenges to the 350 lines in Dominguez's petitions. The challenges are as listed but the NR (45) and NRA (72) objections and line strikes (20) are over 51 lines which is sufficient to remove Respondent from the ballot

WHEREFORE, Petitioner prays this Honorable Court to set aside the Nominating Petitions and Papers of Respondent, Norberto Dominguez, for failure to obtain the minimum number of valid signatures (300) for the office of State Representative and to order that her name not appear on the ballot for nomination as the Democratic Party candidate for State Representative in the

22nd Legislative District.

Respectfully submitted,

/s/ Lawrence M. Otter, Esq.

LAWRENCE M. OTTER, ESQUIRE ATTORNEY FOR PETITIONERS PA ATTORNEY ID 31383 PO Box 575 Silverdale, PA 18962 267-261-2948

Email: <u>larryotter@hotmail.com</u>

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

IN RE: THE NOMINATION PETITIC NORBERTO DOMINGUEZAS A DEI CANDIDATE FOR STATE REPRESE IN THE 22 nd LEGISLATIVE DISTRIC	MOCRATIC ENTATIVE	: ELECTION MATTER : : DOCKET NO: : MD 2022
	ORDER	
AND NOW, this	day of	, 2022, it is hereby ORDERED
that the Nominating Petitions and Papers	of Norberto Do	minguez as a Candidate for State
Representative in the 22nd Legislative Di	strict be and her	reby are stricken and dismissed, and
FUR?	THER ORDER	RED
that the name of respondent Norberto Dor	ninguez not app	pear on the ballot for the May 17, 2022
Primary Election for the Democratic Party	y candidate for S	State Representative in the 22nd
Legislative District.		
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IN THE COMMONWEALTH COURT OF PENNSYLVANIA

IN RE: THE NOMINATION PETITIONS OF : ELECTION MATTER

NORBERTO DOMINGUEZAS A DEMOCRATIC

CANDIDATE FOR STATE REPRESENTATIVE : DOCKET NO:

IN THE 22nd LEGISLATIVE DISTRICT : MD 2022

CERTIFICATE OF SERVICE

Lawrence M. Otter, Esquire, counsel for Petitioner, hereby certifies that a true and correct copy of the within Petition with proposed order affixed thereto was duly served by Federal Express Overnight Mail, postage prepaid or as otherwise noted on April 4, 2022 upon the following:

BY HAND

Secretary of the Commonwealth 305 North Office Building Harrisburg, PA 17120-0029

/s/ Lawrence M. Otter. Esq.

LAWRENCE M. OTTER, ESQUIRE ATTORNEY FOR PETITIONERS PO BOX 575 SILVERDALE, PA 18962 267-261-2948

Email: <u>larryotter@hotmail.com</u>

EXHIBIT A

The objection petition shall specify objections to individual signature lines in nomination petitions or papers and these shall be set forth in an EXCEL® or other similar spreadsheet format. Objector may use the downloadable spreadsheet provided on the Court's website at: http://www.pacourts.us/courts/commonwealth-court/.

2. Spreadsheet columns shall include, for each challenged signature line: page number, line number, county, and the reason or reasons for each challenge. The spreadsheet shall designate the grounds for objection using the following abbreviations:

NR = **Not Registered**

NRD= Not Registered in District

NRDS = Not Registered on Date Signed

NRA = Not Registered at address

OC = **Out** of **County**

Ill = Illegible

LIO = Line Information Omitted

DUP = **Duplicate**

IHA = **Line Information in Hand of Another**

N/I = Nickname/Initial

PRI = **Printed Signature**

DCA = Defective Circulator Affidavit

SAC = Signed After Circulator's Affidavit Dated

Other = Any ground for objection not listed above

SEE EXCEL SPREADSHEET FOLLOWING

Filed 4/3/2022 8:27:00 PM Commonwealth Court of Pennsylvania G Μ Ν 0 Q Α Directions for completing spreadsheet: 1. For each signature line that is challenged as invalid complete the information indicated for colums A through C. 2 2. Indicate the ground or grounds that allegedly render the signature line invalid by inserting an "X" in the appropriate column (columns D through O). O) is used, specify the exact nature of the objection in the "Describe Other" cell (column P). 3. When "Other" (column 4. Do not make any marks in columns Q through T. 5. See the Election Spreadsheet Directions tab below for detailed directions and a legend of the objection codes. Specific Grounds for Objection County Line NR NRA NRD NRDS OC ILL LIO DUP IHA PRI Other Describe Other S/S V/S S/CT V/CT Page 1 Lehigh 10 1 2 Lehigh 8 Lehigh Χ 11 12 1 9 Lehigh Χ 11 Lehigh 13 Χ 1 12 Lehigh 14 Χ 15 13 Lehigh Χ 18 16 14 Lehigh Χ 1 17 Lehigh 1 19 Lehigh 18 Χ 1 19 20 Lehigh Χ 20 Χ 2 1 Lehigh 21 2 Lehigh Χ 22 4 Lehgh Χ 2 23 2 8 Lehigh Χ 10 Lehigh 24 25 11 Lehigh Χ 26 12 Lehigh 27 14 Lehigh Χ 17 Lehigh 28 2 Χ 19 Lehigh 29 2 20 Lehigh 30 2 11 Lehigh Χ 12 Lehigh Χ 33 3 13 Lehigh Χ 34 14 Lehigh 35 Χ 15 Lehigh 16 Lehigh 28 Lehigh

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County of Residence

CANDIDATE'S AFFIDAVIT



Name: Dominguez	, Norberto		, E		, Jr				
Last Name	First Name	First Name							
Residential Address: 415 Allen Stree	t .								
	Street Ad	ldress							
City: Allentown		State: PA	Zip Code:	18102					
Municipality (City, Boro, or Township): Allentown			Gender: F 🗖 M	⊠ NB □				
Mailing Address (if different from res	idential):								
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Voting Precinct Name (including War	d & Division, if applicable): Allentown Wa	rd 10 District 1							
Office for which you are seeking nom	ination: REPRESENTATIVE IN THE GENERA	AL ASSEMBLY							
District Number (if applicable): 22nd	Legislative District								
Email address: contactnorberto@gm	ail.com								
Name as it is to appear on the Ballot:									
law regulating and limiting nom am aware of the provisions of S of campaign contributions and Philadelphia Municipal Court of district judge, my name has no that if I am a candidate for and candidate for Committee Deleg committed is as indicated on a page of my nomination petition	ed above, that I am eligible for said office, sination and election expenses, and prohibitection 1626 of the Pennsylvania Election diexpenditures; that unless I am a car or the office of school board in a district of the been presented as a candidate by noming office of a political party I am a registerate or Alternate Delegate to the National ny nomination petition and that my signate on the same year as the office subject to	oiting corrupt participation of the control of the	ractices in co pre-election a ge of a Cou ce is elective of any other d member o e name of the elegate's Stat	nnection therevand post-election of Common or the office of party for the sf such party; the candidate to ement was affigured.	with; that I on reporting on Pleas, the magisteria ame office; oat if I am a whom I an ked to each				
		l swear (o	affirm) to th	ie above part(s)	as required				
Sworn to and subscribed before me t	his	•	-	e to the office I	-				
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			484538						
Official Title		•	Telephone	Number					
My commission expires			LEHI	GH					

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Bureau of Elections and Notaries 717-787-5280

CANDIDATE DECLARATION to be attached to CANDIDATE'S AFFIDAVIT where notarized statement is not available

CANDIDATE DECLARATION - I declare that my residence, my election district and the title of the office for which I desire to be a candidate are as contained in the attached document, that I am eligible for said office, that I will not knowingly violate any election law or any law regulating and limiting nomination and election expenses, and prohibiting corrupt practices in connection therewith; that I am aware of the provisions of Section 1626 of the Pennsylvania Election Code requiring pre-election and post-election reporting of campaign contributions and expenditures; that unless I am a candidate for Judge of a Court of Common Pleas, the Philadelphia Municipal Court or the office of school board in a district where that office is elective or the office of magisterial district judge, my name has not been presented as a candidate by nomination petitions of any other party for the same office; that if I am a candidate for any office of a political party I am a registered and enrolled member of such party; that if I am a candidate for Committee Delegate or Alternate Delegate to the National Convention the name of the candidate to whom I am committed is as indicated on my nomination petition and that my signature on the Delegate's Statement was affixed to each page of my nomination petition prior to circulation of same; that I am not a candidate for an office which I already hold, the term of which is not set to expire on the same year as the office subject to the accompanying affidavit.

I declare under penalty of perjury under the law of the Commonwealth of Pennsylvania that the foregoing is true and correct.

Signed on the 20	(date) day of MARCH (month), 2022 (year), at
Dauphin	_(county or other location, and state), USA (country).
	Norberto E. Dominguez Jr
	(printed name)
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	(signature)

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